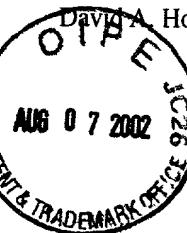


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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/028,944	12/21/2001	DAVID A. Horwitz	A-67279-5/RFT/RMS/RMK



CONFIRMATION NO. 4305

FORMALITIES LETTER

ROBIN M. SILVA  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

File A-67279-5 Atty RFT/RMS/RMK

Due Date 6/2/2002

Date Mailed: 04/02/2002

Type Missing Parts Kefs

\*OC000000007769389\*

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 435.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));

08/09/2002 BABRAHAI 00000013 10026344

01 FC:201 370.00 0P  
02 FC:205 55.00 0P

*A copy of this notice **MUST** be returned with the reply.*

HS

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## Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 1 - ATTORNEY/APPLICANT COPY**



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*ATP/HP*

**PATENT**

Attorney Docket No. 469443-00004/A-67279-5/RFT/RMS/RMK

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

David A. Horwitz

Serial No. 10/028,944

Filed: December 21, 2001

For: *Use of Cytokines and Mitogens  
to Inhibit Pathological Immune  
Responses*

Group No. 1651

Examiner: To be assigned

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C.

20231 on:

Date:

Signature *August 2, 2002*  
Mary McFarland

Mary McFarland

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed April 2, 2002, enclosed are the following documents:

- a) Petition for Extension of Time;
- b) Copy of the Notice to File Missing Parts of Nonprovisional Application;
- c) Check in the amount of \$635. for

Basic Filing Fee (small entity)	\$ 370.00
Missing Parts Surcharge	\$ 65.00
Extension of Time Fee	\$ 200.00

- d) Preliminary Amendment;
- e) Sixteen (16) Sheets of Formal Drawings;
- f) Return postcard

✓ **Applicant claims small entity status. See 37 C.F. R. 1.27.**

Although Applicant does not believe any additional fees are required, the Assistant Commissioner is authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 502319 (Our File- 469443-00004/A-67279-5).

Dated: 8/2/02

Four Embarcadero Center  
Suite 3400  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989  
Fax No. (415) 398-3249

Respectfully submitted,

DORSEY & WHITNEY, LLP

By: Renee M. Kosslek  
Renee M. Kosslek, Reg. No 47,717 for  
Robin M. Silva, Reg. No. 38,304